

1 I HEREBY CERTIFY THAT THIS
2 DOCUMENT WAS SERVED BY FIRST
3 CLASS MAIL, POSTAGE PREPAID, TO
(SEE BELOW) AT THEIR RESPECTIVE
MOST RECENT ADDRESS OF RECORD IN
THIS ACTION ON THIS DATE

4 TO: DATE: DEPUTY CLERK:

5 Plaintiff 08/23/2018 N. Boehme

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION

11 ROBERT MIRSHAFIEE, } No. SA CV 18-1021-JVS (DFM)
12 Plaintiff, } ORDER TO SHOW CAUSE
13 v. }
14 CARE AMBULANCE SERVICE, }
15 INC. et al., }
16 Defendants. }

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19 On July 3, 2018, the Court ordered Plaintiff to file and serve his
20 opposition to Care Ambulance Service, Inc.'s Motion to Dismiss on or before
21 July 27, 2018. See Dkt. 10. The Court explicitly warned Plaintiff that failure to
22 do so may be deemed as consent to the granting of the Motion to Dismiss
23 under Local Rule 7-12, which provides:

24 The Court may decline to consider any memorandum or other
25 document not filed within the deadline set by order or local rule.
26 The failure to file any required document, or the failure to file it
27 within the deadline, may be deemed consent to the granting or
28 denial of the motion, with the exception that a motion pursuant to

1 F.R.Civ.P. 56 may not be granted solely based on the failure to file
2 an opposition.

3 Plaintiff's time to file an opposition to Defendant's motion to dismiss has now
4 expired.

5 Similarly, on August 6, 2018, the Court ordered Plaintiff to file and serve
6 his opposition to Defendant's Motion to Declare Plaintiff a Vexatious Litigant
7 on or before August 20, 2018. See Dkt. 15. Plaintiff's time to file an opposition
8 to this motion has likewise lapsed.

9 Accordingly, within fourteen (14) days of the date of this order, Plaintiff
10 is ORDERED to either (a) show good cause in writing, if any exists, why
11 Plaintiff did not timely file oppositions to Defendant's motions to dismiss and
12 to declare Plaintiff a vexatious litigant, and why the Court should not dismiss
13 this action without prejudice under Local Rule 7-12 and for Plaintiff's failure
14 to comply with the Court's July 3 and August 6, 2018, orders; (b) serve and file
15 his oppositions to Defendant's motions to dismiss and to declare Plaintiff a
16 vexatious litigant; or (c) serve and file a notice of voluntary dismissal, which
17 would be without prejudice under Federal Rule of Civil Procedure
18 41(a)(1)(A)(i). Plaintiff is expressly forewarned that if he fails to do any of the
19 aforementioned, the Court will deem such failure as a further violation of a
20 Court order justifying a recommendation of dismissal and/or consent to the
21 Court's recommending a granting of Defendant's motions to dismiss and to
22 declare Plaintiff a vexatious litigant. If Plaintiff chooses to dismiss this action
23 voluntarily, Plaintiff should use the Court's standard CV-09 notice of dismissal

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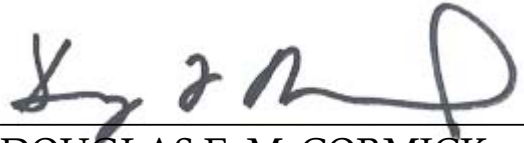
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1 form, which can be found on the Court's website. The Clerk is directed to send
2 Plaintiff a copy of the dismissal form with this order.

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4 Dated: August 23, 2018

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6 DOUGLAS F. McCORMICK
7 United States Magistrate Judge
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